FISH & RICHARDSON P.C.

January 2, 2002

Title:

Attorney Docket No.: 10636/005002

Box Patent Application

Commissioner for Patents Washington, DC 20231

Presented for filing is a new continuation patent application of:

Applicant: DAVID CASTIEL AND JAY BROSIUS

FIXED SATELLITE CONSTELLATION SYSTEM EMPLOYING

NON-GEOSTATIONARY SATELLITES IN SUB-

GEOSYNCHRONOUS ELLIPTICAL ORBITS WITH COMMON

GROUND TRACKS

The prior application is assigned of record to Virtual Geosatellite Holdings, Inc., a corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on March 6, 2001 at 011597/0148.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

Page

	<u>r</u> ages
Specification	59
Claims	4
Abstract	1
Declaration	[To be Filed at a Later Date]
Drawing(s)	25

Enclosures:

- Form PTO-1449, 1 pages, listing documents cited in the parent application(s). Please confirm that these have been considered in this application by returning a copy of the Form PTO-1449 with the examiner's initials.
- Postcard.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL870691636US

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 2. Date of D

Gabe Lewis Typed or Printed Name of Person Signing Certificate

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BOSTON DALLAS DELAWARE NEW YORK SAN DIEGO

1855-1930

W.K. Richardson 1859-1951

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This application is a continuation (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 09/658,215, filed September 8, 2000 which claims priority from provisional application serial no. 60/153,289, filed September 10, 1999. The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

The new claims now reflect a different inventive entity in order to obviate the rule 48 issue.

Small entity status established in the parent case is still proper and desired.

Preliminary Amendment:

Page 1 of the specification, before line 1, insert –This is a continuation of U.S. application serial no. 09/658,215, filed September 8, 2000 (pending).—

There are 12 total claims, 4 of which are independent.

Basic filing fee	\$0
Total claims in excess of 20 times \$9	\$0 \$0
Independent claims in excess of 3 times \$42	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$0

No filing fee is being paid at this time.

Kindly extend the period for response in the parent case by two months. The \$200.00 extension fee is concurrently being paid in the parent case.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

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Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

SCOTT C. HARRIS Fish & Richardson P.C. Customer Number: 20985 4350 La Jolla Village Drive, Suite 500 San Diego, California 92122

Respectfully submitted,

Scott C. Harris Reg. No. 32,030 Enclosures

SCH/rpi